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SENATE JOINT RESOLUTION 8224

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State of Washington 57th Legislature

2002 Regular Session

By Senators Eide, Shin, Gardner, Prentice, Franklin, Regala, Jacobsen, Keiser, McAuliffe, Spanel, Kastama, Winsley, Fairley, Thibaudeau, Fraser, Brown, Carlson, Kohl-Welles, Costa, Poulsen, Kline and B. Sheldon; by request of Governor Locke and Superintendent of Public Instruction

Read first time 01/16/2002. Referred to Committee on Education.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE  
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state the  
4 secretary of state shall submit to the qualified voters of the state  
5 for their approval and ratification, or rejection, an amendment to  
6 Article VII, section 2 and Article VIII, section 6 of the Constitution  
7 of the state of Washington to read as follows:

8 Article VII, section 2. Except as hereinafter provided and  
9 notwithstanding any other provision of this Constitution, the aggregate  
10 of all tax levies upon real and personal property by the state and all  
11 taxing districts now existing or hereafter created, shall not in any  
12 year exceed one percent of the true and fair value of such property in  
13 money: *Provided, however,* That nothing herein shall prevent levies at  
14 the rates now provided by law by or for any port or public utility  
15 district. The term "taxing district" for the purposes of this section  
16 shall mean any political subdivision, municipal corporation, district,  
17 or other governmental agency authorized by law to levy, or have levied  
18 for it, ad valorem taxes on property, other than a port or public  
19 utility district. Such aggregate limitation or any specific limitation  
20 imposed by law in conformity therewith may be exceeded only as follows:

1 (a) By any taxing district when specifically authorized so to do by  
2 a majority of at least three-fifths of the voters of the taxing  
3 district voting on the proposition to levy such additional tax  
4 submitted not more than twelve months prior to the date on which the  
5 proposed initial levy is to be made and not oftener than twice in such  
6 twelve month period, either at a special election or at the regular  
7 election of such taxing district, at which election the number of  
8 voters voting "yes" on the proposition shall constitute three-fifths of  
9 a number equal to forty percent of the total number of voters voting in  
10 such taxing district at the last preceding general election when the  
11 number of voters voting on the proposition does not exceed forty  
12 percent of the total number of voters voting in such taxing district in  
13 the last preceding general election; or by a majority of at least  
14 three-fifths of the voters of the taxing district voting on the  
15 proposition to levy when the number of voters voting on the proposition  
16 exceeds forty percent of the number of voters voting in such taxing  
17 district in the last preceding general election: *Provided*, That  
18 notwithstanding any other provision of this Constitution, any  
19 proposition pursuant to this subsection to levy additional tax for the  
20 support of the common schools may provide such support for a period of  
21 up to four years and any proposition to levy an additional tax to  
22 support the construction, modernization, or remodeling of school  
23 facilities may provide such support for a period not exceeding six  
24 years: PROVIDED FURTHER, That a proposition under this subsection to  
25 levy an additional tax for a school district shall be authorized by a  
26 majority of the voters voting on the proposition;

27 (b) By any taxing district otherwise authorized by law to issue  
28 general obligation bonds for capital purposes, for the sole purpose of  
29 making the required payments of principal and interest on general  
30 obligation bonds issued solely for capital purposes, other than the  
31 replacement of equipment, when authorized so to do by majority of at  
32 least three-fifths of the voters of the taxing district voting on the  
33 proposition to issue such bonds and to pay the principal and interest  
34 thereon by annual tax levies in excess of the limitation herein  
35 provided during the term of such bonds, submitted not oftener than  
36 twice in any calendar year, at an election held in the manner provided  
37 by law for bond elections in such taxing district, at which election  
38 the total number of voters voting on the proposition shall constitute  
39 not less than forty percent of the total number of voters voting in

1 such taxing district at the last preceding general election: *Provided,*  
2 That any such taxing district shall have the right by vote of its  
3 governing body to refund any general obligation bonds of said district  
4 issued for capital purposes only, and to provide for the interest  
5 thereon and amortization thereof by annual levies in excess of the tax  
6 limitation provided for herein((~~7~~)): PROVIDED FURTHER, That a  
7 proposition by a school district to issue bonds, and to pay the  
8 principal and interest on the bonds by an annual tax levy during the  
9 term of the bonds in excess of the limitation provided in this section,  
10 shall be authorized by a majority of the voters voting on the  
11 proposition: And provided further, That the provisions of this section  
12 shall also be subject to the limitations contained in Article VIII,  
13 Section 6, of this Constitution;

14 (c) By the state or any taxing district for the purpose of  
15 preventing the impairment of the obligation of a contract when ordered  
16 so to do by a court of last resort.

17 Article VIII, section 6. No county, city, town, ((~~school~~  
18 ~~district,~~)) or other municipal corporation shall for any purpose become  
19 indebted in any manner to an amount exceeding one and one-half per  
20 centum of the taxable property in such county, city, town, ((~~school~~  
21 ~~district,~~)) or other municipal corporation, without the assent of  
22 three-fifths of the voters therein voting at an election to be held for  
23 that purpose, nor in cases requiring such assent shall the total  
24 indebtedness at any time exceed five per centum on the value of the  
25 taxable property therein, to be ascertained by the last assessment for  
26 state and county purposes previous to the incurring of such  
27 indebtedness, except that in incorporated cities the assessment shall  
28 be taken from the last assessment for city purposes: *Provided, That*  
29 the assent necessary to authorize a school district to incur such debt  
30 shall be by a majority of the voters voting on the proposition:  
31 PROVIDED FURTHER, That no part of the indebtedness allowed in this  
32 section shall be incurred for any purpose other than strictly county,  
33 city, town, school district, or other municipal purposes: *Provided*  
34 *further, That* (a) any city or town, with such assent, may be allowed to  
35 become indebted to a larger amount, but not exceeding five per centum  
36 additional for supplying such city or town with water, artificial  
37 light, and sewers, when the works for supplying such water, light, and  
38 sewers shall be owned and controlled by the municipality and (b) any  
39 school district with ((~~such~~)) majority assent, may be allowed to become

1 indebted to a larger amount but not exceeding five per centum  
2 additional for capital outlays.

3 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
4 notice of this constitutional amendment to be published at least four  
5 times during the four weeks next preceding the election in every legal  
6 newspaper in the state.

7 BE IT FURTHER RESOLVED, That the foregoing amendment shall be  
8 construed as a single amendment within the meaning of Article XXIII,  
9 section 1 of the state Constitution.

10 The legislature finds that the changes contained in the foregoing  
11 amendment constitute a single integrated plan providing for a simple  
12 majority of voters voting to authorize school district levies and  
13 bonds. If the foregoing amendment is held to be separate amendments,  
14 this joint resolution shall be void in its entirety and shall be of no  
15 further force and effect.

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